

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**
No. 1:19-cv-272-LCB

MAXWELL KADEL, *et al.*,

Plaintiffs,

v.

DALE FOLWELL, et al.

Defendants.

O R D E R

This Matter is before the Court on the Motion of Defendants Dale Folwell (*in his official capacity as State Treasurer of North Carolina*), Dee Jones (*in her official capacity as Executive Administrator of the State Health Plan*), and the North Carolina State Health Plan for Teachers and State Employees, (Doc. No. ____), to Stay—pursuant to Rule 62(d) of the Federal Rules of Civil Procedure—the injunction entered against them by this Court’s Memorandum Opinion and Order. (Doc. No. 234).

It appearing to the Court, for the reasons detailed in Defendants’ Memorandum in Support of their Motion to Stay, (Doc. No. ____), that a Stay should issue pursuant to Federal Rules of Civil Procedure 62(d) because Defendants are likely to succeed on the merits, because they will

be irreparably harmed by the injunction, and because a stay would benefit the public interest without substantially harming other parties to the case.

IT IS THEREFORE ORDERED that the Defendants' Motion to Stay is GRANTED and the permanent injunction announced in this Court's Memorandum Order and Opinion, (Doc. No. 234), is hereby STAYED pending the resolution of the appeals in 22-1721 (L); 22-1730(Cons.).

SO ORDERED, this the ____ day of July, 2022